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Comptroller General  
of the United States  
Washington, D.C. 20548

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## Decision

**Matter of:** Glacier Industrial Materials, Inc.  
**File:** B-257303  
**Date:** May 13, 1994

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### DECISION

Glacier Industrial Materials, Inc. protests the award of a contract under solicitation No. N00406-94-R-3027, issued by the Department of the Navy.

We dismiss this protest because our Office does not determine the legal status of a firm as a regular dealer or a manufacturer within the meaning of the Walsh-Healey Act, 41 U.S.C. §§ 35-45 (1988).

Under our Bid Protest Regulations, 4 C.F.R. § 21.3(m)(9), our Office does not consider the legal status of a firm as a regular dealer or manufacturer under the Walsh-Healey Act. By law this matter is to be decided by the contracting agency, in the first instance, subject to review by the Small Business Administration, where a small business is involved, and the Secretary of Labor. The Pratt & Whitney Co., Inc.; Onsrud Mach. Corp., B-232190; B-232190.2, Dec. 13, 1988, 88-2 CPD ¶ 588.

The protest is dismissed.

A handwritten signature in cursive script, appearing to read "John M. Melody", is written above the typed name.

John M. Melody  
Acting Associate General Counsel